

House Study Bill 87 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON GRASSLEY)

A BILL FOR

1 An Act providing for certification requirements by persons
2 involved in the management of manure.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 459.315, subsection 3, Code 2013, is
2 amended to read as follows:

3 3. The department shall adopt, by rule, requirements for
4 the certification, including educational program requirements.
5 The department may establish different educational programs
6 designed for commercial manure service representatives and
7 confinement site manure applicators. The department shall
8 adopt rules necessary to administer this section, including
9 establishing certification standards, ~~which shall at least~~
10 ~~include standards for~~ and continuing instructional courses as
11 provided in this subsection.

12 a. The department shall adopt rules establishing subjects
13 continuing instructional courses that emphasize practical
14 and cost-effective methods to prevent manure spills and
15 limit the impact of manure spills, especially from manure
16 storage structures. The subjects may also include methods
17 for transporting, handling, storing, and or applying manure;
18 identifying the potential effects of manure upon surface water
19 and groundwater; and procedures to remediate the potential
20 effects of manure on surface water or groundwater.

21 ~~a. b.~~ The department shall adopt by rule criteria for
22 allowing a person required to be certified to complete either
23 a written or oral examination.

24 ~~b. c.~~ The department shall administer the continuing
25 instructional courses, by either teaching the courses or
26 selecting persons to teach the courses, according to criteria
27 as provided by rules adopted by the department. The department
28 shall, to the extent possible, select persons to teach the
29 continuing instructional courses. The department is not
30 required to compensate persons to teach the continuing
31 instructional courses. In selecting persons, the department
32 shall consult with organizations interested in transporting,
33 handling, storing, or applying manure, including the Iowa
34 commercial nutrient applicators association and associations
35 representing agricultural producers. The Iowa cooperative

1 extension service in agriculture and home economics of Iowa
 2 state university of science and technology shall cooperate with
 3 the department in administering the continuing instructional
 4 courses. The Iowa cooperative extension service may teach
 5 continuing instructional courses, train persons selected to
 6 teach courses, or distribute informational materials to persons
 7 teaching the courses.

8 d. The department shall provide that the continuing
 9 instructional courses be made available via the department's
 10 internet site, the internet site of a person selected to teach
 11 the continuing instructional courses, or the Iowa cooperative
 12 extension service in agriculture and home economics of Iowa
 13 state university of science and technology.

14 ~~e.~~ e. The department, in administering the certification
 15 program under this section, and the department of agriculture
 16 and land stewardship, in administering the certification
 17 program for pesticide applicators, may cooperate together.

18 EXPLANATION

19 BACKGROUND. A person must be certified by the department
 20 of natural resources (DNR) in order to apply manure on land
 21 (Code section 459.315). Generally, there are two classes of
 22 persons required to be certified: (1) a person involved in a
 23 confinement feeding operation who is engaged in the application
 24 of manure originating from the confinement feeding operation
 25 or (2) a person who is associated with a service engaged in
 26 the business of transporting, handling, storing, or applying
 27 manure (see Code section 459.102 defining "confinement site
 28 applicator" and "commercial manure service representative").
 29 In order to be certified, a person must complete an educational
 30 program which consists of passing an examination or attending
 31 three or two hours of continuing instructional courses each
 32 year depending on the type of certification. The courses must
 33 be taught by the DNR or a person selected by the DNR, including
 34 Iowa state university (ISU). The fee for certification is
 35 based on the costs of administering the program (see Code

1 sections 459.315 and 459.400).

2 BILL — INSTRUCTIONAL COURSE SUBJECTS. The bill amends a
3 provision which provides that DNR must establish requirements
4 for instructional course subjects. Currently, the curriculum
5 must include methods for transporting, handling, or applying
6 manure; the potential effects of manure upon surface water
7 and groundwater; and procedures to remediate the potential
8 effects of manure on surface water or groundwater. The bill
9 provides that the curriculum must primarily emphasize practical
10 and cost-effective methods to prevent manure spills and limit
11 the impact of manure spills, especially from manure storage
12 structures.

13 BILL — INSTRUCTIONAL COURSES OFFERED VIA THE INTERNET. The
14 bill provides that the DNR must provide that the continuing
15 instructional courses be made available via the department's
16 internet site, the internet site of a person selected to teach
17 the continuing instructional courses, or ISU.